

109TH CONGRESS  
2D SESSION

# H. R. 4819

To amend the Federal Election Campaign Act of 1971 to prohibit nonparty multicandidate political committees from making contributions in support of campaigns for election for Federal office, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2006

Mr. LEACH introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Federal Election Campaign Act of 1971 to prohibit nonparty multicandidate political committees from making contributions in support of campaigns for election for Federal office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “PAC Elimination Act”.

6 (b) FINDINGS.—Congress finds the following:

1           (1) Congress now faces a crisis of public con-  
2           fidence about its ability to conduct the people's busi-  
3           ness.

4           (2) Members of Congress, their relatives, lobby-  
5           ists, insider-controlled nonprofit organizations, and  
6           interest groups have been accused of acting surrep-  
7           titiously and in concert to enrich themselves at the  
8           expense of the public.

9           (3) A government of the people, by the people,  
10          and for the people cannot be a government where in-  
11          fluence is purchasable.

12          (4) Political action committees in particular  
13          represent a narrow fraction of the public viewpoint  
14          and generally have few ties, if any, to the State or  
15          district from which the member of Congress is elect-  
16          ed.

17          (5) The primary recipients of PAC contribu-  
18          tions are incumbents, particularly the most powerful  
19          members of Congress.

20          (6) The public objects to the establishment of  
21          a new political class, a privileged group with perks,  
22          amenities, and job security unavailable to average  
23          Americans. The public also objects to tilting the  
24          electoral landscape to the advantage of a few.

1           (7) If Congress fails to respond appropriately to  
 2           limit the costs of elections and the perks of power,  
 3           it will become a legislative body in which the small  
 4           businessman, the farmer, the day laborer, and the  
 5           stay-at-home parent are only secondarily rep-  
 6           resented.

7           (8) Campaign finance reform is the unfinished  
 8           business of a Congress in disrepute.

9   **SEC. 2. BAN ON ACTIVITIES OF POLITICAL ACTION COM-**  
 10           **MITTEES IN FEDERAL ELECTIONS.**

11           (a) BAN ON PACS.—

12           (1) IN GENERAL.—Title III of the Federal  
 13           Election Campaign Act of 1971 (2 U.S.C. 431 et  
 14           seq.) is amended by adding at the end the following  
 15           new section:

16           “BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES  
 17           “SEC. 325. Notwithstanding any other provision of  
 18           this Act, no person other than an individual or a political  
 19           committee may make contributions, solicit or receive con-  
 20           tributions, or make expenditures for the purpose of influ-  
 21           encing an election for Federal office.”.

22           (2) REVISION OF DEFINITION OF POLITICAL COM-  
 23           MITTEE.—Section 301(4) of such Act (2 U.S.C. 431(4))  
 24           is amended to read as follows:

25           “(4) The term ‘political committee’ means—

1           “(A) the principal campaign committee of a  
2 candidate;

3           “(B) any national, State, or district committee  
4 of a political party, including any subordinate com-  
5 mittee thereof;

6           “(C) any local committee of a political party  
7 which—

8               “(i) receives contributions aggregating in  
9 excess of \$5,000 during a calendar year,

10               “(ii) makes payments exempted from the  
11 definition of contribution or expenditure under  
12 paragraph (8) or (9) aggregating in excess of  
13 \$5,000 during a calendar year, or

14               “(iii) makes contributions or expenditures  
15 aggregating in excess of \$1,000 during a cal-  
16 endar year; and

17           “(D) any committee jointly established by a  
18 principal campaign committee and any committee  
19 described in subparagraph (B) or (C) for the pur-  
20 pose of conducting joint fundraising activities.”.

21       (b) RULES APPLICABLE WHEN BAN NOT IN EF-  
22 FECT.—For purposes of the Federal Election Campaign  
23 Act of 1971, during any period after the effective date  
24 of this Act in which the limitation on making contributions

1 under section 325 of that Act (as added by subsection (a))  
2 is not in effect—

3 (1) the amendments made by subsection (a)  
4 shall not be in effect; and

5 (2) the limitation amount under section  
6 315(a)(2)(A) of such Act shall be \$1,000.

7 **SEC. 3. ADDITIONAL LIMITATIONS ON CONTRIBUTIONS BY**  
8 **POLITICAL ACTION COMMITTEES.**

9 (a) ALTERNATIVE LIMITATION ON AGGREGATE  
10 AMOUNT OF CONTRIBUTIONS MADE BY MULTICANDIDATE  
11 COMMITTEE TO ANY CANDIDATE.—

12 (1) IN GENERAL.—Section 315(a)(2)(A) of the  
13 Federal Election Campaign Act of 1971 (2 U.S.C.  
14 441a(a)(2)(A)) is amended by striking the semicolon  
15 at the end and inserting the following: “, or an  
16 amount equal to 10 percent of the aggregate amount  
17 of contributions received by the candidate and the  
18 committees from all sources, whichever is lesser;”.

19 (2) RETURN OF EXCESS CONTRIBUTIONS BY  
20 CANDIDATES.—Section 315(f) of such Act (2 U.S.C.  
21 441a(f)) is amended—

22 (A) by striking “(f)” and inserting  
23 “(f)(1)”; and

24 (B) by adding at the end the following new  
25 paragraph:

1       “(2) A candidate (or the authorized committees of a  
 2 candidate) who receives a contribution from a multi-  
 3 candidate political committee in excess of the amount al-  
 4 lowed under subsection (a)(2)(A) shall return the amount  
 5 of such excess contribution to the contributor.”.

6       (b) LIMITATION ON AGGREGATE AMOUNT OF CON-  
 7 TRIBUTIONS MADE BY MULTICANDIDATE COMMITTEE TO  
 8 ALL CANDIDATES.—Section 315(a) of such Act (2 U.S.C.  
 9 441a(a)) is amended by adding at the end the following  
 10 new paragraph:

11       “(9) Notwithstanding any other provision of this Act,  
 12 during each two-year period beginning on January 1 of  
 13 an odd-numbered year, the total amount of contributions  
 14 of a nonparty multicandidate political committee to all  
 15 candidates for Federal office and their authorized political  
 16 committees shall not exceed \$500,000.”.

17 **SEC. 4. REQUIRING NOT LESS THAN 80 PERCENT OF CAN-**  
 18 **DIDATE FUNDS TO COME FROM IN-STATE IN-**  
 19 **DIVIDUALS.**

20       Section 315 of the Federal Election Campaign Act  
 21 of 1971 (2 U.S.C. 441a) is amended by adding at the end  
 22 the following new subsection:

23       “(k) PERCENTAGE OF CANDIDATE CONTRIBUTIONS  
 24 REQUIRED TO COME FROM IN-STATE INDIVIDUALS.—  
 25 With respect to each reporting period for an election, not

1 less than 80 percent of the total of contributions accepted  
2 by a candidate shall be from individuals—

3 “(1) who are residents of the State involved or  
4 the State in which the Congressional district in-  
5 volved is located, in the case of a candidate for the  
6 office of Senator or Representative in the Congress;  
7 or

8 “(2) who are residents of the jurisdiction the  
9 candidate seeks to represent, in the case of a can-  
10 didate for the office of Delegate or Resident Com-  
11 missioner to the Congress.”.

12 **SEC. 5. EFFECTIVE DATE.**

13 The amendments made by this Act shall apply with  
14 respect to elections occurring after December 2006.

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